

COUNCIL

Agenda Item: 10

Ward: ALL

Portfolio: Finance, Governance and Corporate Services

FROM: Monitoring Officer

Date: 12 December 2016

SUBJECT: Changes to the Constitution

Internal Use Only: Please complete sign off boxes below prior to submission to Democratic Services			
Report Sign off	Seen by:	Name	Date
	Legal	Donna Nolan	29/11/16
	Finance	Paul Deal	29/11/16
	Chief Executive Officer	Stuart Brown	29/11/16
	Deputy Chief Executive	Donna Nolan	29/11/16
Summary	The recommendations outlined in this report are subject to consideration by Cabinet at their meeting on 5 December 2016. To give effect to the recommendations to Cabinet on 5 December 2016, relating to the amendment to the debt write off thresholds this report, this report seeks approval of proposed amendments to the Council's Constitution.		
Recommendation:	Subject to the endorsement by Cabinet on 5 December, it is recommended that Council resolve the Constitution be amended in the manner as set out in the Schedule to this report.		
Direct and/or indirect impact on service delivery to our customers and communities:	A robust constitution ensures high standards of community leadership to our customers and communities.		
Financial Implications:	Limited to the cost of staff administration and printing of revised versions.		
Legal Implications:	As outlined in the report.		
Crime and Disorder Implications:	None identified.		
Equalities Implications:	None identified.		

Risk Assessment and Adverse Impact on Corporate Actions:	There is an evident risk if the Council's Constitution does not reflect its processes and internal arrangements. The proposed changes to the Constitution all address areas of potential risk.
---	--

INTRODUCTION AND BACKGROUND

1. It is important that changes in the way in which the Council operates as a statutory organisation are reflected in its Constitution, and that the Constitution – as far as reasonably possible – provides a fully up to date means of governing the Council's operation as a local authority.
2. Subject to agreement by Cabinet on 5 December, there will be need to undertake formal amendments to the Council's Constitution to give effect to: (a) A delegated authority to the Section 151 Officer in consultation with the relevant Portfolio Holder to exercise discretion to write off debts up to and including £5000; and (b) that the discretion to write off debts above £5001 remains with Cabinet.
3. If the recommendations outlined above are agreed by Cabinet on 5 December, the proposed amendments to the Constitution to give effect to those recommendations are detailed in the Schedule to this report.

RECOMMENDATION

That subject to endorsement by Cabinet on 5 December, Council resolve the Constitution be amended in the manner as set out in the Schedule to this report.

Contact Officer: Donna Nolan, Deputy Chief Executive and Monitoring Officer

Ext No:

E-mail: Donna.Nolan@mendip.gov.uk

Background Papers: Report to Cabinet of 5 December 2016 - Amending the Debt Right off Thresholds